



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,164-A24)

In the Application of:

Wolff

Serial No. 10/614,460

Filed: July 7, 2003

Title: Sustained Release Ranolazine
Formulation

) Examiner: Unknown

) Group Art Unit: 1685

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

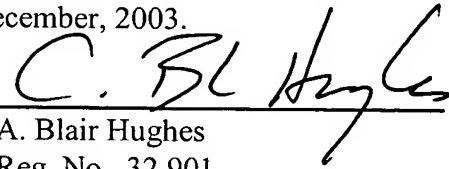
Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Amendment, Petition and Fee to Amend Originally Named Inventors
 - b. Copy of Preliminary Amendment Filed on July 7, 2003
 - c. Copy of Statement of Inventorship and Common Ownership of Claims
 - e. Postcard
2. With respect to additional fees:
 - a. Attached is a check in the amount of \$ 130.00
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th of December, 2003.

By :


A. Blair Hughes
Reg. No. 32,901

MCDONNELL BOEHNEN,
HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001



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Sir:

**AMENDMENT, PETITION AND FEE TO
AMEND ORIGINALLY NAMED INVENTOR(S)
PURSUANT TO 37 C.F.R. § 1.48(B)**

1. This is a petition to amend the inventorship of the above-identified application under 37 C.F.R. § 1.48(b).
2. Deletion of Inventors:

Please amend the above-identified application to remove:
Fiona Baker and John Langridge as inventors.

Fiona Baker and John Langridge are being removed as inventors of the application because the invention that they contributed to, the pharmaceutical compositions of claims 31-50, are no longer being claimed in this application.

3. Amendment of Inventorship is appropriate in this case for the following reasons:

- The earliest claimed parent application serial number 09/351,522 was filed on May 27, 1999 with 50 claims.

- The inventors signed a Statement of Inventorship for application serial number 09/351,522 identifying Andrew Wolff as the inventor of the invention of claims 1-29 and identifying Andrew Wolff, Fiona Baker and John Langridge as the inventors of the invention of claims 30-50.
- This application claims priority to application serial number 09/351,522. Moreover, this application was filed with claims identical to the claims of the parent application.
- Claims 31-50 had been cancelled from this application by Preliminary Amendment leaving only the invention of claims 1-29 and related claims pending in this application.
- All of the inventors have previously acknowledged that Andrew Wolff is the sole inventor of the invention of claims 1-29.

4. Attachments

- (a) A Statement as to Inventorship and Common Ownership of Claims Filed in the parent to this continuation application – U.S. Patent Application Serial No. 09/351,522 filed May 27, 1999.
- (b) A copy of the Preliminary Amendment filed July 7, 2003 deleting composition of mater claims 31-50 from the application.

5. Fee Payment (37 C.F.R. § 1.17(h))

The fee required is paid as follows:

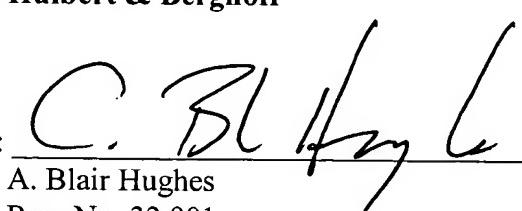
Enclosed is a check for \$130.00

Respectfully submitted,

**McDonnell Boehnen
Hulbert & Berghoff**

By:

A. Blair Hughes
Reg. No. 32,901
312-913-2123



Dated: December 17, 2003